# OTPE 48 OCT O 3 2005 W

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Kishio YOKOUCHI, et al.

Serial No.:

10/771,562

Filed:

February 4, 2004

For:

One-By-N Optical Switch

Art Group Unit:

2874

Examiner:

RAHILL, Jerry T.

Attorney Docket:

02EK-105595

### CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

(X) deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

( ) transmitted by facsimile to the Patent and

Trademark Office

Date

Jordan Wilson

## AMENDMENT TRANSMITTAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is an amendment/response in the above-identified application.

### FEE CALCULATION FOR CLAIMS AS AMENDED

	As Amended	Previously Paid For		Present Extra		Rate	Additional Fee	
Independent Claims	10	-	. 3	=	7	\$ 200.00	\$ 1,	400.00
Total Claims	20	-	22	=	0	\$ 0.00	\$	0.00
For Multiple Dependent Claims	0		0			\$ 360.00	\$	0.00
( ) Small Entity Fee (reduced by half).					Total Additional Fee:		\$ 1,400.00	

( ) No additional claim fee is required.

(X) A check in the amount of \$1,400.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 or credit any overpayment, to Deposit Account No. 501395. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Assistant Commissioner is authorized to charge the unpaid amount to Deposit Account No. 501395. This sheet is filed in duplicate.

September 28, 2005

Sheppard Mullin Richter & Hampton LLP 4 Embarcadero Center, 17<sup>th</sup> Floor San Francisco, CA 94111-4106

Tel: (415) 434-9100 Fax: (415) 434-3947 Respectfully submitted

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Registration No. 31,566

W02-SF:5SD\61470012.1

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# AMENDMENT "A"

Commissioner for Patents P.O. Box 1450 Alexandria, CA 22313-1450

Sir:

In response to the non-final Office Action dated June 28, 2005, and pursuant to 37 C.F.R. § 1.111 please amend the application as follows.

Amendments to the Claims are set forth in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 11 of this paper.

10/05/2005 WASFAW1 00000026 10771562

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